

# **EXHIBIT 8**

Investigative Notes of Detective Jose Quinoy – Shield #141

On October 17, 2006, I received a call from Haydee Gomez stating that she was having problems at home with her father, Mario Gomez, over allegations that she had been seen having drinks with me at a bar (JP Doyles) several weeks prior. Haydee stated that Gomez had been arguing over this issue for several days, and had even stated that he was going to look for me and have a few words with me.

I advised Haydee that I would contact Gomez and attempt to clear up the situation between him and her at home. She agreed and gave me his cell phone number. At approximately 2215hrs, I made contact with Gomez on his cell phone (914)473-3889. I told him that I wanted to clear up any doubts that he may have and assure him that Haydee and I were just friends and that we were other people at the bar with us. Gomez began to yell and scream at me over the phone stating, "I'm telling you right now, I better not hear that you are in a bar with my daughter again." I asked Gomez if he was threatening me, and he said "call it what you want, but you better hope I don't catch you in a bar with Haydee." I told Gomez that if he had an issue with Haydee going to the bar that it was something that he had to address with her. I then proceeded to advise Gomez that he could not tell me where I could and could not go. Gomez became furious and started yelling louder over the phone saying that he was going to fuck me up when he see's me. I told him that he was going to do no such thing, and that he should stop making threats towards me. Gomez then asked me where I was because he was going to come and kick my ass right now. I told him that I was working, and that I was at police headquarters. Gomez then stated "I'm coming up there right now and I'm going to fuck you up." "I don't care if I get arrested." I then told Gomez if he came up to police headquarters to fight with me, that he would be arrested. Gomez then hung up the phone.

I advised Lt. Hayes and PO Ebel of the situation. I then proceeded to contact PO Gasko and had him meet me in front of headquarters. PO Gasko arrived shortly there after in a marked patrol unit. I gave PO Gasko the details on the situation and advised him that if Gomez showed up, we would have to defuse the situation before it escalated. I warned

PO Gasko that Gomez was a retired NYC corrections officer and former Marine and that we had to be aware of the possibilities of him being armed and hostile. Moments later, at approximately 2240hrs, I observed Gomez's blue SUV traveling eastbound on Beekman Ave at a high rate of speed. He pulled up in front of the Life Center (30 Beekman Ave) coming to a screeching halt. Po Gasko and I immediately approached the vehicle as Gomez jumped out of the drivers side of the vehicle and slammed the door leaving the vehicle half way in the middle of the street with the engine running and the headlights on. Gomez began coming towards me at which time I ordered him to turn around and place his hands on the vehicle. Gomez kept coming towards me as I grabbed his left arm to walk him to his vehicle. Gomez then suddenly turned towards me and struck me on the left side of my face with a closed fist. I immediately reacted and attempted to restrain Gomez at this time, but he began to swing his fist, striking me several times about the face and body. Gomez then placed me in a head lock with his left arm and continued to strike me in the face and head. After several attempts at trying to break away from Gomez's hold, I ordered PO Gasko to deploy the Taser. PO Gasko attempted to subdue Gomez with the X-26 Taser using the "drive stun" method by placing the Taser directly on the subject. Gomez continued to fight and became more combative. Po Gasko radioed to police headquarters for back up units to assist. Gomez continued to fight with PO Gasko and we were able to take him to the ground. We ordered him several times to place his hands behind his back, but he refused. Additional POs arrived on the scene including PO's Ebel and D'Alessandro. The Tarrytown Police Department heard the distress call and also dispatched additional units. Gomez continued to kick and fight until the Taser was applied several more times, at which time Gomez stopped fighting and we were able to handcuff him. Gomez was placed in the back of a marked police vehicle and transported to police headquarters.

I entered police headquarters through the front door, and moments later was transported to Phelps Memorial Hospital for medical attention. During the altercation, I sustained injuries to my face, head, back, right wrist and right ankle including lacerations, abrasions, and contusions causing me to experience severe pain.

During the altercation, Gomez's wife Awilda Gomez proceeded to pull me by my left arm and shirt. I ordered her several times to let go of me but she refused, yelling for me to leave Gomez alone. I had to push Awilda off of me in order to affect the arrest of her husband.

Gomez's vehicle was towed and impounded. Upon opening the drivers side door, PO Gasko and I observed an expandable baton that Gomez had left on the drivers seat.

On October 18, 2006 at about 0330hrs, Awilda Gomez came to police headquarters to find out about Gomez's vehicle which had been towed from the scene. At this time, she was taken into custody and charged with obstruction of governmental administration and resisting arrest. She was released ROR to appear on October 24<sup>th</sup> at 1500hrs.

Mario Gomez was transported to Phelps Memorial Hospital by ambulance for medical attention and then transported back to police headquarters for booking. He was charged with Assault 2 (police officer), Resisting Arrest, Obstruction of Governmental Administration and Aggravated Harassment. Gomez was arraigned by judge waters and remanded to the Westchester County Jail to appear on October 24, 2006 at 1500hrs.

Det. J. [Signature] # 141